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GROUP 3600

To Whom It May Concern:

Re: Patent Application 09/476,711 "A Declarative Method for Business Management"

After a careful analysis and review of the patent application (Serial Number: 09/476,711), a detailed review of the Examiner's objections and citation to my work provided me by the inventor, and thorough examination and re-examination of my book (Hossein Bidgoli, Handbook of Management Information Systems: A Managerial Perspective, Academic Press, San Diego California, 1999), I am confident that the invention in the above patent application is neither disclosed nor made obvious by the material presented in this book. The inventor acknowledges, in his discussion of the prior art, as distinct and separate concepts, a number of management processes and tools such as business process, business management, hierarchical organization, management by objective, total quality initiative, distributed systems, closed-loop control, AI, expert system and rule-based programming environment that are also discussed in my book.

My book, for those seeking a grounding in the topic I set forth in my title, introduces and provides a summary definitional base for these, and other, concepts, just as the first word in its title, "Handbook", states. For example in the three chapters (9, 10 and 17) cited by the Examiner, I briefly summarize and describe the following concepts:

Artificial intelligence
Backward chaining
Chinese room experiment
Classic life cycle approach
Computer-assisted systems engineering (CASE)
Continuous improvement
CPM (Critical Path Method)
Customer Service
CYC project
Data flow diagram (DFD)
Economic feasibility
ES shells (ESS)
ES tools
Evolutionary prototype
Example-based ES
Expert systems
Explanation facility
Feasibility study
Flow chart
Forward chaining
Functional prototype
Gantt chart
Group Support Systems
Heuristic
Implementation

EXHIBIT D

Inference engine
Intangible cost and benefit
Iterative design
Knowledge acquisition facility
Knowledge base (rule base and database)
Knowledge-base management system (KBMS)
Monitoring mechanisms
Natural language processing
Parallel conversion
PERT (Program Evaluation Review Technique)
Phased-in-phased-out conversion
Pilot conversion
Post-implementation audit
Problem definition
Prototyping
Quality
Questionnaire
Reengineering
Rule-based ES
Simulated prototype
Social feasibility
Specific ES (SES)
Systems analysis
Systems design
Tangible cost and benefit
Technical feasibility
Time feasibility
Total Quality Management
Universal responsibility
User interface
Visual interactive approach (VIA)

However, the inventor utilizes a selected number of these tools and techniques in a unique format formulated in his application, which he calls a *Declarative Method for Business Management*; and his presentation and formulation do not have any relationships with the materials presented in my book. As far as I can tell throughout the book and in particular in these three cited chapters, I do not discuss a "method" similar to the one presented by the inventor. I only discuss concepts, tools and processes used in modern information systems; I do not set out any implementation of any of these. In page 276-277 for example, I do not disclose a method for dynamically managing a process through an emergent and inductive approach that anticipates possible conditions. I only discuss one of the TQM principles that the inventor has successfully utilized in his proposed *Declarative Method*. Again in page 280, I discuss quality measurement as another principle of TQM. In my Handbook, and more specifically in the portions cited by the Examiner, I am discussing concepts, tools and processes and, as taught by the inventor, these could be incorporated as some of the possible steps in a *declarative* method though I do not discuss doing so.

Throughout my 24+ years of teaching and publishing more than 120+ books, articles and professional manuals I have not seen a *method* or *model* similar to the one presented by the inventor for business management and to me it is novel and unique. It certainly has

Affidavit of Dr. Hossein Bidgoli, **Page 2 of 4**

not been discussed in my book. Contrary to the Examiner's contention, I neither disclose nor anticipate using rule-based expert systems to improve the implementation of TQM on p. 300, and I do not disclose "creating and maintaining a dynamic and self-referential representation of induced business process" in the book at all. Not only is the *Declarative Method* presented by the inventor not discussed in my book, but it describes methods for handling situations which I described as not being candidates for expert systems at the time. These include the internal handling of contradictions (i.e., problem areas in which there are disagreements among experts -- see p. 508) and emergent business processes (i.e., problems that have not been solved previously by human experts -- see p. 507).

As outlined above, tools and techniques for managing a business are discussed in numerous literatures. These tools and techniques have been utilized in more than 9000 operational expert systems and management support systems. The novelty of this invention is its integration of these various tools and processes into a declarative method that assists a businessperson to manage a business. This integration of tools, concepts and processes were certainly not obvious to me. Its uniqueness and advantages are clearly introduced by the inventor in his proposal.

Nothing I have written, read, or was aware of prior to reading the inventor's application suggested that any of the combinations of techniques described in the application might be possible, successful, or both possible and successful. With respect to business management methods I am cognizant of and to those fields of expertise which I am knowledgeable about (see my attached curriculum vitae), putting these combinations into effect would be within the ordinary skill of those experienced in each of the appropriate fields after reading the disclosure in the inventor's application. Prior to 12/30/1999 and without that disclosure, I believe that it was not within such ordinary skill.

Each of the necessary concepts, tools, and means of their combination were disclosed to that level of detail necessary for their comprehension and subsequent implementation; those details which are well-known to those with ordinary skill were not described. Those with ordinary skill as described above, upon reading the Inventor's application, would appreciate the invention's usefulness. Its advantages were clearly stated.

Should you need additional information regarding this matter, I will be more than happy to provide it to you. A copy of my curriculum vitae is attached.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on ___*Nov. 8, 03*___.

H. signature
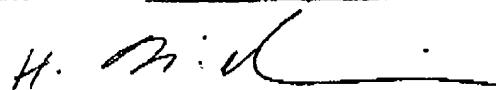
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